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FEDERAL COMMUNICATIONS COMMISSION

WASHINGTON, D.C. 20554

23 FEB 1993

THE SECRETARY - ROOM 222

IN REPLY REFER TO:

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APR 12 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Honorable David Skaggs
House of Representatives
Washington, D.C. 20515

Dear Congressman Skaggs:

This is in reply to your letter of January 26, 1993, in which you inquired on behalf of several of your constituents regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). This Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

Those rules have been in place for over 20 years. While they have been amended on numerous occasions since that time, they nonetheless embody regulatory concepts based on yesteryear's technology and, unless changed, will stifle the growth and development of private land mobile radio technology and services, which are used primarily by local governments, public safety entities, and businesses to enhance their productivity. The Commission issued the Notice, therefore, to solicit comment from all interested persons on a wide variety of proposals designed to increase channel capacity, to promote more efficient use of these channels, and to simplify the rules governing use of these channels.

The proposals in the Notice reflect to a large extent concepts and proposals submitted in the initial inquiry stages of this proceeding. None of the proposals set forth in the Notice, however, are engraved in stone. Indeed, the proposals represent our best judgment at this stage of the proceeding on steps that must be taken to improve the regulatory climate for users of the private land mobile radio spectrum below 512 MHz. To this end, some of the critical issues that must be resolved relate to channel spacing, the amount of time provided to users to convert to new technical standards, how the 300 to 500 percent increase in channel capacity should be licensed, how the rules

Honorable David Skaggs

2.

We are, of course, sensitive to the concerns of both users of private land mobile radio spectrum and R/C hobbyists. We will, therefore, take into careful consideration all their comments. Your constituents' concerns will be fully evaluated when we develop final rules in this proceeding. As indicated in the Notice, we remain convinced that without significant regulatory change in radio operations in the bands below 512 MHz, the quality of communications in the private land mobile radio services will continue to deteriorate to the point of endangering public safety and the national economy.

We want to thank you for your interest in this proceeding. Comments on the proposals set forth in the Notice are due May 28, 1993, and Reply Comments are due July 14, 1993. We expect final rules to be issued in 1994. We urge your constituents to file formal comments on all aspects of the proposals.

Sincerely,


Ralph A. Haller
Chief, Private Radio Bureau

Enclosures:
Notice
Order
Discussion paper

Congressional

DUE OBC: 2-18-93

PLEASE MAKE 2 EXTRA COPIES OF INCOMING, ATTACHMENTS,
AND REPLY FOR DOCKET FILE, ROOM 222.

CONGRESSIONAL CORRESPONDENCE TRACKING SYSTEM
02/10/93

LETTER REPORT

CONTROL NO. DATE RECEIVED DATE OF CORRESP DATE DUE DATE DUE OLA(857)

House of Representatives PRB
Washington, D.C. 20515 92-235

MEMORANDUM

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ACKNOWLEDGED &
REFERRED

Tel: (303) 469-1461

6210, West 108th Circle,
Broomfield,
CO 80020

January 26th, 1992.

The Honorable David E. Skaggs,
United States Representative,
9101, Harlan Street, Suite 130,
Westminster, CO 80030-2925.

SUBJECT: NPRM - PR Docket 92-235 (Proposed Radio Frequency Rule Change)

Dear Mr. Skaggs,

I am a concerned and retired citizen, an aeromodeler since 1937, a former international judge, a former national competition winner, and a member of the AMA - the Academy of Model Aeronautics - # 43221. I am active in a local club. I derive many hours of enjoyment from my hobby of designing, constructing and flying radio model aircraft. This activity is a continuation of my life-long interest in aviation, for I was once also an FAA certified flight instructor. My local club, Arvada Associated Modelers, is also very active in local affairs, using our hobby as a means of reaching out to other members of our community.

My very grave concern is about the above referenced proposed rules, currently under consideration by the FCC. If adopted, these rules will so greatly reduce the security of frequencies presently assigned for model use that most of them will be virtually unusable. Specifically, they will greatly increase the possibility of interference, increasing the risk of equipment malfunction leading to accidents and attendant liability. The risk of accidents is not merely the risk of damage to property, but also the risk of serious personal injury, perhaps death, and the resulting and almost inevitable litigation that can threaten everyone involved.

The radio control frequencies that we use are in the 72-76 MHz band. This band is primarily used for private land mobile dispatch operations. Presently, our radio control frequencies are for the most part far enough separated from the land mobile frequencies that we have been able to share the band without either use interfering with the other.

The FCC wants to assign more land mobile frequencies by the use of much narrower bandwidths and by rearranging the frequencies within the band. As a result, many land mobile frequencies will move much closer to the radio control frequencies and cause serious interference with these R/C frequencies. As it is, locally we cannot use Aircraft R/C channel 20 (72.19 MHz) because of interference from a land mobile operator. I understand that if these proposed rules are adopted, of the 50 frequencies presently used by model aircraft radio control enthusiasts, no less than 31 will be adversely impacted, leaving only 19 frequencies available for safe use. Even then, having started the process, the FCC will ultimately continue it, introducing more new land mobile frequencies into the 72-76 MHz band until the radio control modelers have no frequencies left for safe operation.

When flying radio controlled model aircraft safety is of paramount importance. We go to great lengths to ensure the safety of persons and property. Safety precautions in use include the careful co-ordination and use of our allotted frequencies. If the number of frequencies is diminished as proposed by the FCC, the remaining frequencies will become dangerously congested, and safety margins will be decreased to unacceptable levels.

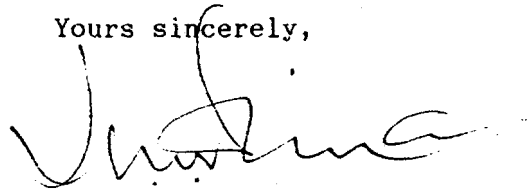
It is important to understand clearly that many model airplanes these days have wing spans of up to ten feet - or more - and can weigh up to 40 pounds. The usual is far less, of course, though even much smaller models, say 10 pounds in weight, flying at over 130 mph can be instantly lethal if suddenly the operator loses control due to interference. The models themselves are expensive - a total model and radio cost in excess of \$2,000 is not uncommon - and involve a time investment of many hundreds of hours, but, far more to the point, these models are capable of causing extensive property damage, serious personal injury and even death, should radio interference cause the operator to lose control of his aircraft. Models are often flown at organized events and contests, where hundreds of competitors gather to compete against each other. There can be many more hundreds of spectators at such gatherings. We greatly need the full use of all of our presently assigned radio frequencies in order to be able to assure a safe flying environment for all. There are probably in excess of 300,000 active modelers in this country, with perhaps an average of three models each: apart from the extent of such activity nation-wide, with an estimated average cost, radio and model, of \$500 per model, the total cash investment in the radio control hobby is very substantial.

The last frequency change to R/C frequencies, imposed by the FCC only a few years ago, has left me with two unusable transmitters and three receivers lying useless. Due to these changes, I have had to reinvest in new equipment, and now I find again that FCC proposals are threatening my safe use of this equipment.

I sincerely believe that it is most unwise for the FCC to consider improving the operating conditions of land mobile radio users at the expense of radio controlled model aircraft use. The FCC may consider radio controlled model aircraft to be a very minor and unimportant sector of the community, but we have a very considerable investment in our hobby and equipment, and many businesses derive a major portion of their income from the radio controlled hobby, and without it, they would not survive. The hobby provides many hours of occupation and enjoyment to hundreds of thousands of citizens like myself, and contributes enormously to the advancement and development of the commercial aviation industry, and even to the effectiveness of the armed services. Yes, indeed; where do you think today's military RPV's originated?

Please assist all the modelers in our great state and throughout this country to continue the safe enjoyment of their hobby by ensuring that the FCC is not permitted to promulgate these new proposals. I believe that the FCC can explore other avenues to effectively resolve this problem without adversely impacting our own activities.

Yours sincerely,



John Simmance.

Jan 29, 1993
41 University Dr
Longmont, Co. 80503

The Honorable David E. Skaggs
United States Representative
9101 Harlan St., Suite 130
Westminster, Co. 80030-2925

Dear Mr. Skaggs:

I am a very active member in the Longmont Aircraft Modelers Association. I have been involved in Radio Controlled Aircraft for about 5 years.

I am very concerned about proposed rules that are currently under consideration by the FCC. The proceeding is PR Docket 92-235. If adopted, the new rules will greatly reduce the usability of frequencies currently available for model use and increase the risk of accidents and personal liability for controlling model airplanes.

Our frequencies are in the 72-76 Mhz band. This band is primarily used for private land mobile dispatch operations. However, our frequencies in this band are far enough apart from the mobile users so that we are able to share the band without interfering with each other.

Now the FCC wants to create more land mobile frequencies by splitting them into narrower bandwidths and reorganizing the band

where hundreds of pilots participate and hundreds of spectators also watch. We need the use of our full compliment of radio frequencies in order to assure a safe flying environment.

I do not think it is wise of the FCC to seek to improve the operating conditions of land mobile radio users at the expense of radio control modelers. The FCC may not think we are as important as business users of radios, but we have a considerable investment in our models and in our radio equipment. The hobby provides many hours of enjoyment to thousands of people like myself and contributes to the advancement and development of the commercial aviation industry.

Please help me continue the safe enjoyment of my pastime by not allowing the FCC to carry out its proposals for the 72-76 Mhz band as proposed in PR Docket 92-235.

Sincerely,

A handwritten signature in cursive script, reading "Edward C Callan". The signature is fluid and stylized, with the first and last names being more prominent than the middle initial.

Edward C Callan

4675 Fordham Circle
Boulder, CO 80301
January 29, 1993

The Honorable David E. Skaggs
United States Representative
9101 Harlan Street, Suite 130
Westminster, CO 80030-2925

Reference: FCC NPRM PR Docket 92-235

Dear Representative Skaggs:

I request that the referenced docket, which contains proposed revisions to the Land Mobile radio frequency allocations, not be adopted. My personal reasons for this request are given below.

I am a radio control model airplane builder and flyer. This hobby and the industry which supports it engage thousands of people across the country. The planes controlled by the radio systems we use are as large as 16 feet in wingspan and weigh up to 55 pounds. Engines used range up to several horsepower. Speeds normally are from 10 to 100 MPH, but can be as high as 200 MPH in certain events. There has been much effort expended by public and private interests to assure that our radio control systems can provide safe operation for ourselves and the public. Adoption of docket 92-235 would destroy this safety and put the public at risk.

Docket 92-235 proposes that additional frequencies be added that are too close to the channels we presently use for continued safety in controlling model aircraft. The frequency tolerances and power levels for the proposed new channels allow overlap to the point that our aircraft would be subject to total loss of control, thereby resulting in extensive property loss, severe personal injury, or death. These changes appear to affect 31 of the 50 radio control channels we now use. Because of technical parameters, restriction to only 10 usable channels would create

6-17-68

To: The Honorable David E. Skaggs

United States Representative
9101 Harlan st.
Westminster, Colorado 80039-1925
303-650-7886

Subject: NPRM - PR docket 92-235

Dear Senator Campbell

I am a citizen and constituent of your district that derives many hours of needed relaxation and enjoyment (along with many hundreds of thousands of others) from the construction and operating of radio controlled aircraft. This hobby is an extension of my active interest in aviation and has been a part of my life for as long as I can remember. I am also a member of local clubs that promote community involvement and participation as well as allowing the active participation of many in our community that might not

...by it, to the safety of the participants in
and to the operation of the radio equipment of which
the careful coordination of the use of frequencies by all the
participants. If the number of remaining usable frequencies
is reduced as proposed by the FCC, the remaining frequencies
will become instantly congested and our margin for safety
will dwindle accordingly.

Please understand that my concern for safety is not
trivial. Many of my personal aircraft have wing spans of up
to 8 feet and weigh up to 30 lbs. These aircraft can travel
in excess of 100 miles per hour. Several of these aircraft
are worth over 1000 dollars. But more to the point they can
cause serious damage and injury if operated unsafely in an
environment not conducive to that safety. All of the local
clubs have periodic organized contests that involve hundreds
of local participants. Without the full use of our radio
frequencies, I don't believe we can truly guarantee the
safety of all involved.

January 28, 1993

The Honorable David E. Skaggs
United States Representative
9101 Harlan Street, Suite #130
Westminster, Colorado 80030-2925

Dear Mr. Skaggs,

Me and my children are experiencing the enjoyment and family involvement of radio controlled model airplanes. It has provided many hours of enjoyment for my whole family, and has provided a learning platform for my children in group and family activities, as well as involving them in the principles of aviation.

I am very concerned about the proposed rules that are currently under consideration by the Federal Communications Commission (FCC). The proceeding is PR Docket 92-235. If adopted, the new rules will greatly reduce the usability of frequencies currently assigned for model use and increase the risk of accidents and attendant liability for controlling model airplanes.

Our radio control frequencies are in the 72-76 MHz band. This band is primarily used for private land mobile dispatch operations. However, our radio control frequencies in the band are far enough apart from the land mobile frequencies that we have been able to share the band without either use interfering with the other.

Now the FCC wants to create more land mobile frequencies by splitting them into narrower bandwidths and rearranging the band plan. As a result, many land mobile frequencies will move closer to the radio control frequencies and cause interference to radio control operations. I am told that of the 50 frequencies that are presently available for radio control of model airplanes, only 19 frequencies will be left if these new rules are adopted.

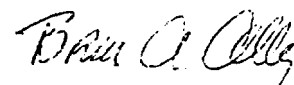
When we fly our model airplanes under radio control, we go to great lengths to assure the safety of the operators and bystanders and the protection of property. Many of our safety precautions involve the careful coordination and use of the radio control frequencies. If the number of usable frequencies is diminished as proposed by the FCC, the remaining frequencies will become congested and the margin of safety will be greatly decreased.

Please understand that many model airplanes have wing spans up to 10 feet and weigh as much as 30 or 40 pounds. The models themselves are expensive to build; but more to the point, they are capable of causing property damage, serious injury, or even death if radio interference causes the operator to lose control of the craft. We often fly our models at organized events and contests where hundreds of operators participate. We need the use of our full complement of radio frequencies in order to assure a safe flying environment.

I do not think it is wise of the FCC to seek to improve the operating conditions of land mobile radio users at the expense of radio control modelers. The FCC may not think we are as important as business users of radios, but we have a considerable investment in our models and in our radio equipment. The hobby provides many hours of enjoyment to thousands of people like myself and contributes to the advancement and development of the commercial aviation industry.

Please help me continue the safe enjoyment of my pastime by not allowing the FCC to carry out its proposals for the 72-76 MHz band.

Sincerely,



Brian A. Allen

MICHAEL W. BRINK
6945 QUEEN CIRCLE
ARVADA, COLORADO 80004

RE:PR Docket 92-235

January 30, 1993

The Honorable David E. Skaggs
United States Representative
9101 Harlan Street Suite 130
Westminster, Colorado 80030-2925

Dear Representative Skaggs:

As a concerned citizen and a longtime modeler, I am deeply concerned about the current proposed rules that are under consideration by the Federal Communications Commission (FCC). If the proposed NPRM-PR Docket 92-235 is adopted, these rules will greatly impact my ability, as well as hundreds of thousands of other radio controlled enthusiasts, to enjoy our great hobby. This proposal will render 60% of our frequencies in the 72 MHz band unusable and greatly increase the risk of accidents and attendant liability for controlling model airplanes.

This is not only a great hobby, but is the one source of enjoyment for many of us older enthusiasts that find it necessary to hold down more than one job to keep up with the economy. This on top of a heavy reinvestment just about five years ago when the FCC made changes and required all new equipment for many of us.

This is not only a individual hobby, but we as a club have sponsored and preformed unaccountable civic functions such as MAKE A WISH, EASTER SEAL CAMP, RETARDED CHILDREN, and THE CLEAN HIGHWAY PROGRAM, just to mention a few.

Over the past 15 + years that I have personally been involved, we have helped many young people, some troubled, to get started in this great hobby and grow up to become fine healthy adults. I would not want to add up all the man hours we have spent on these functions nor the actual dollars we have spent, but you should be aware of the fact that it takes an investment in equipment of \$500 + to get started, multiplied by the number of modelers in the US, well over 250,000, multiplied by the number of models (3 models per flyer-estimated) and you can see the amount we have invested. We do this FREE, not intending in any way to show a profit like 11 BILLION dollars that AT&T did last quarter!

I do not think it is wise for the FCC to seek to improve the operating conditions of land mobile radio users at the expense of radio control modelers. Our hobby and use of these frequencies is as important to the over all quality of life in the United States as the business uses of radios. I believe that the FCC has the responsibility to look at other actions to meet the needs of the